



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

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ELECTRONIC MAIL

December 20, 2010

Mr. Sachin Pradhan, Staff Engineer
Indiana American Water Company - Summitville
555 E. County Line Road, Suite 201
Greenwood, IN 46143

Dear Mr. Pradhan:

Re: NPDES Permit No. IN0063452
Indiana American Water Company- Summitville
Summitville, Indiana, Madison County

This agency has reviewed your request of November 5, 2010, for voidance of the above-referenced permit. IAWC Summitville has elected to pump and haul backwash wastewater to the Wabash WWTP, rather than develop the infrastructure or pursue obtaining the easements required in order to discharge backwash wastewater directly to Mud Creek, the receiving stream identified in IN0063452. Therefore, a NPDES permit is no longer required.

Therefore, National Pollutant Discharge Elimination System Permit No. IN0063452 issued July 10, 2009 is hereby revoked effective 18 days from the mailing date of this letter.

Any party adversely affected or aggrieved by this decision may appeal by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within eighteen (18) days after the date of mailing of this letter. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant, a person aggrieved or adversely affected by this voidance or otherwise entitled to review by law. Pursuant to IC 13-15-7-3, this decision shall remain in effect pending a decision on any appeal that has been timely requested under the provisions of IC 4-21.5. The address is:

Office of Environmental Adjudication
Indiana Government Center North
100 North Senate Avenue, Room 501
Indianapolis, IN 46204

You are reminded that any future discharge to waters of the state must be preceded by the submission of an NPDES application at least 180 days prior to the commencement of such discharge.

If you have any questions regarding this matter, please contact Nicole Gardner at 317/232-8707.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul H.', with a long horizontal line extending from the end of the signature.

Paul Higginbotham, Chief
Permits Branch
Office of Water Quality

cc: Madison County Health Department
Mr. Brandon France, Operations Superintendent IAWC Summitville

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 12E – F

DATE OF NOTICE: DECEMBER 20, 2010

The Office of Water Quality issues the following NPDES FINAL PERMIT.

MINOR – TERMINATION

IAW COMPANTY – SUMMITVILLE, Permit No. IN063452, MADISON COUNTY, 563 N Main St, Summitville, IN. This public water supply permit is being terminated because there is no longer a discharge to state waters. Permit Writer: Nicole Gardner at 317/232-8707, ngardner@idem.in.gov.

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permits are available for review & copies at IDEM, Indiana Government Center, North Bldg, 100 N Senate Ave, Indianapolis, IN, Rm 1203, Office of Water Quality/NPDES Permit Section, from 9 – 4, M - F (copies 10¢ per page). Each Final Permit is available at the respective, local County Health Department. **Please tell others you think would be interested in this matter.** Regarding your rights and responsibilities pertaining to the Public Notice process and timeframes, please refer to IDEM websites: <http://www.in.gov/idem/5474.htm> and IDEM Permit Guide (Public Participation): <http://www.in.gov/idem/4172.htm>. **To view the Citizen Guide go to:** <http://www.in.gov/idem/5803.htm>.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.